

--15. A nonaqueous secondary battery according to claim 7, wherein said carbonaceous material is graphite.

16. A nonaqueous electrolyte secondary battery according to claim 7, wherein  $\text{LiM}_x\text{O}_2$  (where M is one or more types of transition metals and  $0.05 \leq x \leq 1$ ) is contained as an active material for said positive electrode.

### REMARKS

Claims 7-12 were pending in the application.

In the Office Action of June 5, 2000, claims 7-12 were rejected under 35 U.S.C. §112 in view of a minor typographical error in claims 7, 9 and 10. 1 Claims 7-9 and 11-12 were rejected as anticipated by *Fujiura, et al.*

Claim 10 was rejected as obvious in view of *Fujiura, et al.*

In response, the spelling of "aeromatic" in claims 7, 9 and 10 has been corrected. Thus, the rejection under §112 is overcome.

The rejections under §§102 and 103 are traversed.

The invention is directed to lithium ion secondary batteries. To make this clearer, claim 7 has been amended to state that the binder action material comprises a carbonaceous material. This limitation places the claimed subject matter within lithium-ion secondary batteries. Newly added claims 13-16 depend directly or indirectly from claim 7.

In contrast, the cited art relates to alkaline batteries. As is well known, battery technologies differ widely between battery types. It is submitted that *Fujiura, et al.* teaches and suggests nothing that renders the presently claimed subject matter anticipated or obvious.

In view of the foregoing, it is submitted that claims 7-16 are patentable and that the application is in condition for allowance. Notice to that effect respectfully is requested.

Respectfully submitted,



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